

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

SEVENTY-FIFTH LEGISLATIVE DAY
FRIDAY, MARCH 27, 2009

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 66 members present.

Absent and excused – Anderson, Bedke, Smith(24), Wills.

Total – 4.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Keisha Hale, Page.

Approval of Journal

March 27, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-fourth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 26, 2009

Mr. Speaker:

I return herewith enrolled [H 10](#), [H 105](#), [H 55](#), [H 88](#), [H 89](#), [H 90](#), [H 91](#), [H 92](#), [H 109](#), [H 193](#), [H 154](#), as amended, [H 107](#), [H 179](#), [H 184](#), [H 101](#), [H 125](#), [H 126](#), [H 70](#), as amended in the Senate, [H 152](#), as amended in the Senate, and [H 76](#), as amended in the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled [H 10](#), [H 105](#), [H 55](#), [H 88](#), [H 89](#), [H 90](#), [H 91](#), [H 92](#), [H 109](#), [H 193](#), [H 154](#), as amended, [H 107](#), [H 179](#), [H 184](#), [H 101](#), [H 125](#), [H 126](#), [H 70](#), as amended in the Senate, [H 152](#), as amended in the Senate, and [H 76](#), as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 26, 2009

Mr. Speaker:

I transmit herewith [S 1158](#), [S 1150](#), [S 1151](#), [S 1152](#), [S 1148](#), and [S 1161](#) which have passed the Senate.

WOOD, Secretary

[S 1158](#), [S 1150](#), [S 1151](#), [S 1152](#), [S 1148](#), and [S 1161](#) were filed for first reading.

Report of Standing Committees

March 27, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 185](#).

CLARK, Chairman

The Speaker announced he was about to sign enrolled [H 185](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

March 26, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 142](#), [H 87](#), [H 103](#), and [H 104](#) to the Governor at 1:45 p.m., as of this date, March 26, 2009.

CLARK, Chairman

March 26, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 135](#), [S 1086](#), [S 1088](#), and [S 1137](#) and report them back with amendments attached to be placed on General Orders for consideration.

WOOD, Chairman

[H 135](#), [S 1086](#), [S 1088](#), and [S 1137](#) were placed on General Orders for consideration.

March 26, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [S 1110](#) and report it back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

[S 1110](#) was placed on General Orders for consideration.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 268 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING MONEYS TO THE LEGISLATIVE COUNCIL FOR FISCAL YEAR 2010; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED

BALANCES; REAPPROPRIATING UNEXPENDED AND UNENCUMBERED BALANCES FROM THE PERMANENT BUILDING FUND; REAPPROPRIATING UNEXPENDED AND UNENCUMBERED BALANCES FROM THE PERMANENT BUILDING FUND; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; PROVIDING THAT THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL DIRECT THE STATE CONTROLLER TO LIMIT THE FUNDS TRANSFER TO THE LEGISLATIVE FUND; AND DECLARING AN EMERGENCY FOR SECTION 6 OF THIS ACT.

HOUSE BILL NO. 269
BY EDUCATION COMMITTEE
AN ACT

RELATING TO COOPERATIVE SERVICE AGENCIES; AMENDING SECTION 33-317, IDAHO CODE, TO PERMIT A COOPERATIVE SERVICE AGENCY TO ELECT TO BE ITS OWN FISCAL AGENT FOR A CERTAIN PURPOSE UNDER CERTAIN CIRCUMSTANCES AND TO REQUIRE CERTAIN EDUCATIONAL SUPPORT UNITS TO BE DISTRIBUTED TO THE AGENCY SERVING AS THE FISCAL AGENT; AND AMENDING SECTION 33-601, IDAHO CODE, TO PERMIT A SCHOOL DISTRICT TO AUTHORIZE THE TRANSFER OR CONVEYANCE OF ANY REAL OR PERSONAL PROPERTY OWNED BY THE SCHOOL DISTRICT TO A COOPERATIVE SERVICE AGENCY.

HOUSE BILL NO. 270
BY EDUCATION COMMITTEE
AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-514, IDAHO CODE, TO DELETE AN EXCEPTION RELATING TO CERTAIN EVALUATIONS.

HOUSE BILL NO. 271
BY EDUCATION COMMITTEE
AN ACT

RELATING TO COURSES OF INSTRUCTION; AMENDING SECTION 33-1004, IDAHO CODE, TO REVISE PROVISIONS RELATING TO INSTRUCTIONAL STAFF ALLOWANCE; AND AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1619, IDAHO CODE, TO AUTHORIZE SCHOOL DISTRICTS TO OFFER INSTRUCTION IN THE MANNER DESCRIBED FOR A VIRTUAL SCHOOL, TO PROVIDE FOR COUNTING AND REPORTING OF AVERAGE DAILY ATTENDANCE, TO AUTHORIZE SCHOOL DISTRICTS TO OFFER INSTRUCTION THAT IS A BLEND OF VIRTUAL AND TRADITIONAL INSTRUCTION AND TO PROVIDE FOR THE COUNTING AND REPORTING OF AVERAGE DAILY ATTENDANCE.

[H 268](#), [H 269](#), [H 270](#), and [H 271](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1158](#), by Finance Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

[S 1150](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

[S 1151](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Business Committee.

[S 1152](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

[S 1148](#), by State Affairs Committee, was introduced, read the first time by title, and held at the Desk.

[S 1161](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Local Government Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

[H 265](#), [H 266](#), and [H 264](#), by Ways and Means Committee, were read the second time by title and filed for third reading.

[S 1074](#), as amended, as amended, and [S 1013](#), by Education Committee, were read the second time by title and filed for third reading.

[S 1097](#), by Transportation Committee, was read the second time by title and filed for third reading.

[S 1134](#), by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

[S 1142](#), [SCR 107](#), and [SCR 108](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[H 248](#) and [H 258](#), by State Affairs Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [H 216](#), as amended, retain its place on the Third Reading Calendar until Monday, March 30, 2009. There being no objection, it was so ordered.

[H 251](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jarvis and Mr. Shirley to open debate.

The question being, "Shall [H 251](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Anderson, Bedke, Luker, Smith(24),
Thayn, Wills. Total – 6.
Total – 70.

Whereupon the Speaker declared that [H 251](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 253](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nonini to open debate.

Mr. Luker moved that **H 253** be held for three legislative days. Seconded by Mr. Thayn.

Mr. Luker asked to withdraw his motion to hold **H 253** for three legislative days.

The question being, "Shall [H 253](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Barrett, Moyle. Total – 2.

Absent and excused – Anderson, Bedke, Schaefer, Smith(24), Wills. Total – 5.
Total – 70.

Whereupon the Speaker declared that [H 253](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 257](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall [H 257](#) pass?"

Roll call resulted as follows:

AYES – Barrett, Black, Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Hart, Higgins, Jaquet, Killen, King, Lake, Marriott, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Smith(30), Trail, Wood(35). Total – 26.

NAYS – Andrus, Bayer, Bedke, Bell, Bilbao, Block, Bolz, Boyle, Chadderdon, Clark, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Loertscher, Luker, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Shepherd(08), Shirley, Simpson, Stevenson, Takasugi, Thayn, Thompson, Wood(27), Mr. Speaker. Total – 41.

Absent and excused – Anderson, Smith(24), Wills. Total – 3.

Paired Votes:

AYE -- Wood(35) NAY -- Bedke
(Pairs enumerated in roll call above.)
Total – 70.

Whereupon the Speaker declared that [H 257](#) failed to pass the House and ordered the bill filed in the office of the Chief Clerk.

[H 260](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

Mr. Wood(27) asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of [H 260](#). There being no objection it was so ordered.

The question being, "Shall [H 260](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Anderson, Bedke, Lake, Loertscher, Nonini, Smith(24), Wills. Total – 7.
Total – 70.

Whereupon the Speaker declared that [H 260](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 198](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall [H 198](#), as amended, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Bedke, Lake, Loertscher, Nonini, Smith(24), Wills. Total – 7.
Total – 70.

Whereupon the Speaker declared that [H 198](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 244](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hart to open debate.

The question being, "Shall [H 244](#), as amended, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Simpson. Total – 1.

Absent and excused – Anderson, Bedke, Nonini, Smith(24), Wills. Total – 5.

Total – 70.

Whereupon the Speaker declared that [H 244](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 240](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Andrus to open debate.

Pursuant to Rule 38(3), Mr. Roberts disclosed a conflict of interest regarding [H 240](#), as amended.

The question being, "Shall [H 240](#), as amended, pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Anderson, Bedke, Smith(24), Wills. Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 240](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that [S 1138](#) be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

[S 1138](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Saylor to open debate.

The question being, "Shall [S 1138](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Anderson, Bedke, Smith(24), Wills. Total – 4.

Total – 70.

Whereupon the Speaker declared that [S 1138](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1003](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall [S 1003](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Anderson, Bedke, Boyle, Smith(24), Wills. Total – 5.

Total – 70.

Whereupon the Speaker declared that [S 1003](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1008](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hagedorn to open debate.

The question being, "Shall [S 1008](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Anderson, Bedke, Black, Boyle, Smith(24), Wills. Total – 6.

Total – 70.

Whereupon the Speaker declared that [S 1008](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Roberts asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, March 30, 2009. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Roberts moved that all rules of the House interfering with the immediate consideration of [H 265](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [H 265](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Bedke, Smith(24), Wills. Total – 4.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 265](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

Mr. Moyle asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of [H 265](#). There being no objection it was so ordered.

The question being, "Shall [H 265](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Anderson, Bedke, Eskridge, Smith(24), Wills. Total – 5.

Total – 70.

Whereupon the Speaker declared that [H 265](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 264](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [H 264](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Bedke, Smith(24), Wills. Total – 4.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 264](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall [H 264](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Anderson, Bedke, Smith(24), Wills.

Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 264](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9:30 a.m., Monday, March 30, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:12 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk